

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and arguments set forth fully below. Claims 1-4, 6, 7, 12-14, 16, 17, 19-21, and 25-33 were previously pending in the instant application. Within the Office Action, Claims 1-4, 6, 7, 12-14, 16, 19-21, and 25-33 have been rejected and Claim 17 has been withdrawn. By way of the above amendments, Claims 1, 2, 4, 12, 14, 16, 19-21, 25-31 and 33 have been amended and Claims 3, 7, 13 and 17 have been canceled. Accordingly, Claims 1, 2, 4, 6, 12, 14, 16, 19-21 and 25-33 are now pending in this application.

Within the Office Action Claim 17 have been withdrawn for consideration for not being readable on the elected species. By way of the above amendment, Claim 17 has been canceled.

Objection to Claims:

Within the Office Action Claims 7, 20, 25 and 28 have been objected to for a number of informalities. By way of the above amendment Claims 7, 20, 25 and 28 have been amended to correct these informalities.

Regarding claim 28, it is sated within the Office Action that the element “a motorized handle” should be positively recite. Applicants respectfully disagree because Claim previously submitted have been withdrawn for positively reciting “a powered handle” or “a motorized handle.” [See Office Action, mailed June 1, 2005]

Rejections Under 35 U.S.C. § 102

Within the Office Action, Claims 1, 3, and 4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,604,951 to Shipp (hereafter, “Shipp”); Claims 1-4, 6, 7, 31 and 32 have been rejected under 35 U.S.C. § 102(a) as being anticipated by document No. GB 2,371,217 to McDougall (hereafter, “McDougall”); Claim 20 and 28 have been rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,032,313 to Tsang (hereafter, “Tsang”); Claim 25 has been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2004/0154112 to Braun (hereafter, “Braun”); Claims 1-4, 6, 7, 26-30 and 33 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0196283 to Eliav (hereafter “Eliav”); and Claims 12-14, 16 and 19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0182746 to Fattori (hereafter, “Fattori”). The above recited rejections are considered moot in view of the above amendments.

To further advance the persecution of this Application, Applicants are providing a concise summary of the differences between the claimed invention and the prior art.

Shipp teaches a manual toothbrush with a prophy-cup structure that has bristles surround the outside periphery of the prophy-cup like structure. Shipp, however, does not teach multiple support surfaces that move in different direction as currently recited in the independent Claim 1

McDougall teaches a singular support surface with a plurality of squeegee wiping elements and bristle that are configured to rotate all with the same motion. However, McDougall does not teach multiple support surfaces that move in different direction, such a recited in the independent Claim 1, or a toothbrush with a continuous and substantially circular squeegee element configured to rotate or oscillate, such as recited in the independent Claim 31.

Tsang teaches a household cleaning appliance with a plurality of coaxially rotatable sections that can include bristle or sponge sections. However, Tsang fails to teach multiple support surfaces that move in different directions or coaxially rotatable sections each with squeegees elements, such as recited in the independent Claims 20 and 28.

Braun *does not* qualify as prior art. Attention is respectfully drawn to the Provisional Application No. 60/330,317, filed January 10, 2003, from which the present Application claim priority. A copy of the Provisional Application No. 60/330,317, filed January 10, 2003, has been submitted with a previously submitted response received at the U.S. Patent and Trademark Office June 17, 2005. Applicants contend that there is clear support for the claimed invention in the Provisional Application No. 60/330,317. Accordingly, Applicants respectfully request the rejection of Claim 25 under 35 U.S.C. § 102(e) as being anticipated by Braun be withdrawn.

Eliav teaches a toothbrush with two section sections that move in two different directions. A first section includes only bristles and second section includes bristle with squeegee elements that bordering outside edges of the second section, such that bristle are flanked along one and only one side of the opposed squeegee walls. Eliav fails to teach a device wherein a portion of the bristles protruding from a first support surface and bristles protruding from a second support surface flank opposed sides of curved elongated walls, such as recited in the independent Claim 1; bristles protruding from a first support surface and bristles protruding from a second support surface that boarder a curved squeegee wiping edge, such as recited in the independent Claim 26; a first and second support surface configured to move in different directions and each with a squeegee element protruding therefrom, such as recited in the independent Claims 28; or a region with a first support surface having a continuous and substantially circular squeegee element that

encircles bristles that protrude from the first supports surface, such as recited in the independent Claim 33.

Fattori teach multiple support surfaces that each move in a different direction and each having bristles protruding therefrom. However, Fattori fails to teach a squeegee member with elongated curved squeegee walls that protrudes from the first support surface to from an a curved elongated wiping edge wherein a portion of the bristles protruding from the first support surface and the second support surface flank opposed sides of the curved elongated walls, such as recited in the independent Claim 12.

Claims 2, 4 and 6 all depend from the independent Claim 1; Claims 14, 16 and 19 all depend from the independent Claim 12; Claim 21 depend from the independent Claim 20; Claim 27 depend form the independent Claim 26; Claim 29 and 30 both depend from the independent Claim 28; and Claim 32 depend from the independent Claim 31. For all of the reason stated above the Applicants content that each of the independent Claims 1, 12, 20, 25, 26, 28, 31 and 33 are allowable over the prior art made of record. Accordingly, Claim 2, 4, 6, 14, 16, 19, 21, 27, 29, 30 and 32 are also all allowable as depending from allowable base claims.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claim 21 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsang in view U.S. Patent No. 5, 289,605 to Armbruster (hereafter, “Armbruster”)

Claim 21 is dependents from the independent Claim 20. As described above, the independent Claim 20 is allowable over the teachings of Tsang. Accordingly, Claim 21 is also allowable as being dependent on an allowable base claim.

For the reasons given above, Applicants respectfully submit that Claims 1, 2, 4, 6, 12, 14, 16, 19-21 and 25-33 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 10/20/2005

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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